

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

**Please replace the first paragraph on page 1 with the following:**

--This application is a continuation of PCT/US99/19030, which is a continuation-in-part of Serial No. 09/293,427, filed April 16, 1999, now U.S. Patent No. 6,686,174, entitled "Method and Constructs for Inhibiting Protein Expression in Bacteria," which is a continuation-in-part of Serial No. 08/769,945, filed December 19, 1996, entitled "Method and Constructs for Inhibiting Protein Expression in Bacteria," now U.S. Patent No. 5,981,280, which is a continuation-in-part of Serial No. 08/203,806, filed March 1, 1994, entitled "Nucleic Acids Sequence Stress-Induced Proteins and Uses Thereof," now U.S. Patent No. 5,714,575, which corresponds to parent application Serial No. 07/852,013, filed March 9, 1992, now abandoned. This application also claims the priority of provisional application Serial No. 60/096,938, filed August 20, 1998, entitled "The 5' Untranslated Region of the Cold-Shock *cspA* Gene Regulates Translation Efficiency in Addition to mRNA Stability," and U.S. provisional application Serial No. 60/143,380, entitled "Translational Enhancement by an element Downstream of the Initiation Codon in *Escherichia coli*." --

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L. Epps-Ford whose telephone number is 571-272-0757. The examiner can normally be reached on M-F, 10:00 AM through 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on 571-272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Janet L. Epps-Ford/  
Primary Examiner, Art Unit 1633

*JLE*

<b>Application Number</b> 	Application/Control No.	<b>Applicant(s)/Patent under Reexamination</b>	
	09/552,272	FANG ET AL.	
Examiner	Janet L. Epps-Ford	<b>Art Unit</b>	1633